

REMARKS

I. Claim Rejections under 35 U.S.C. 102

The Examiner rejected claims 1, 3 and 15 under 35 U.S.C. 102(b) as being anticipated by Peeters (U.S. Patent No. 5,634,342). The Examiner rejected claim 29 under 35 U.S.C. 102(a) as being anticipated by Faqih (U.S. Patent Publication No. 2002/0046569).

The Applicant respectfully disagrees and traverses the rejections.

“A patent is invalid for anticipation when the same device or method, having all of the elements contained in the claimed limitations, is described in a single prior art reference.”

Crown Operations International, Ltd. v. Solutia, Inc., 289 F.3d 1367, 1375 (Fed. Cir. 2002).

A. Independent claim 1 is patentable over Peeters

The Applicant respectfully contends that independent claim 1 is patentable over the cited reference because Peeters does not disclose at least two elements of claim 1: (i) “one or more air moving means *for directing a stream of ambient air past the cold sink*, to cool the air below its dew point and condense water from the air stream”; and (ii) “passage means *for directing the air cooled by the cold sink past the heat sink*, to remove additional heat from the cooling device, to increase its efficiency.”

1. Peeters does not disclose “one or more air moving means *for directing a stream of ambient air past the cold sink*, to cool the air below its dew point and condense water from the air stream.”

As supported by the Specification, independent claim 1 comprises “one or more air moving means *for directing a stream of ambient air past the cold sink....*” Specification, at paragraph [0015], “[b]lower means 40 and/or 41 (such as fans) *directs a stream of ambient air past cold sink 36* to cool the air below its dew point to condense water droplets 42 from the air.”

In contrast to the invention of claim 1, the blower in Peeters is used to direct ambient air

past the *heat sink*, not past the cold sink. As shown in Figures 1 and 3 of Peeters, “[e]xternal air is drawn into air intake hole 50 and screen 42, forced through the cooling fins [22, of heat sink 20] by means of an optional electric blower 56 in the direction of arrows A and exits via the top of device 12 as shown by arrow B.” Peeters, at col. 3, lines 13-17. Peeters does *not* disclose a blower on the *cold side* 38 of thermoelectric module 40.

2. Peeters does not disclose “passage means for directing the air cooled by the cold sink past the heat sink, to remove additional heat from the cooling device, to increase its efficiency.”

As supported by the Specification, independent claim 1 comprises “passage means for directing the air cooled by the cold sink past the heat sink....” Specification, at paragraph [0015], “[p]assage means 34, which may be an air duct, is arranged to *direct the air cooled by the cold sink 36 past the heat sink 38*. Since the air is cooled, more heat is drawn away from heat sink 38, which increases the efficiency of device 32, thus extracting or condensing more water from a given energy input.”

In contrast to the invention of claim 1, the air intake opening 50 in Peeters is used to draw in *external* air, not cooled air. As shown in Figures 1 and 3 of Peeters, “[e]xternal air is drawn into air intake hole 50 and screen 42....” Peeters, at col. 3, lines 13-14. Peeters does *not* disclose directing the *cooled air* past the heat sink.

B. Dependent claims 2-11 and 13-28 are patentable over Peeters.

Claims 2-11 and 13-28, which depend from claim 1, are patentable for at least the same reasons discussed above.

C. Independent claim 29 is patentable over Faqih.

The Applicant respectfully contends that independent claim 29 is patentable over the cited reference because Faqih does not disclose at least one element of claim 29: “an ultraviolet

light which *bathes the passage means in ultraviolet light to sterilize the air* at it enters the passage means.”

As supported by the Specification, independent claim 29 comprises “an ultraviolet light which *bathes the passage means in ultraviolet light to sterilize the air....*” Specification, at paragraph [0019], “ultraviolet light 15 can also be used to *sterilize air* that enters water storage devices 11 and 16 as water is withdrawn from the storage devices. This can be accomplished with an air passage comprising tubing or piping 22 and 23 with one end in a container and the other end located such that the end is bathed in light from ultraviolet light 15. In this way, air is sterilized as it enters tubing or piping 22 and 23.”

In contrast to the invention of claim 29, the disinfectant unit 210 of Faqih is used to disinfect the *water*, not the air. As shown in Figure 1 of Faqih, “[t]he disinfectant unit 201 comprises a small closed container wherein the *water* is exposed to ultraviolet (UV) radiation emitted from a radiating UV source (lamp) 211.” Faqih does *not* disclose sterilizing the *air* as it enters the passage means. Faqih does not disclose an ultraviolet light at the open end of plastic capillary tube 209.

II. Allowable Subject Matter

The Examiner allowed claim 12 over the prior art of record, and stated that claims 2, 4-11, 14, and 16-28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant appreciates the Examiner’s allowance.

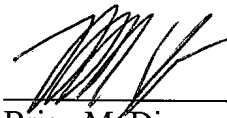
III. Conclusion

The Applicant has addressed each of the Examiner’s objections and rejections, and respectfully contends that all the pending claims (1-29) are patentable over the cited prior art.

The Applicant respectfully requests reconsideration and allowance.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned in Westborough, Massachusetts, (508) 898-1501. If any payment during prosecution is found to be insufficient or if any overpayment is found, please charge any deficiency or credit any overpayment to my deposit account number 50-1582.

Respectfully submitted,



Brian M. Dingman
Attorney for Applicant
Reg. No. 32,729
Customer No. 25834
Tel: (508) 898-1501
Fax: (508) 898-1502

MIRICK, O'CONNELL, DEMALLIE & LOUGEE, LLP
1700 West Park Drive, Westborough, MA 01581